

Attorney Docket No.: F.003

a first locating of the selected portion within the body by referencing the body relative to the indicia on the drape in a manner corresponding to said first referencing of the radiographic image;

15 providing sufficiently unobstructed access to the indicia region of the drape to enable [positioning by] the hand of the operator [adjacent to] containing a surgical cutting instrument to directly contact the indicia region of the drape;

[making] forcibly directing the surgical cutting instrument against the indicia region to make a surgical incision through the indicia region of the drape and into the
20 body sufficient to access the selected portion;

a second directing of imaging radiation through said drape and indicia such that a radiographic image of said body and indicia is formed on the medium;

a second referencing on the radiographic image of the selected portion within the body relative to the indicia; and

25 a second locating of the selected portion within the body by referencing the body relative to the indicia on the drape in a manner corresponding to said second referencing of the radiographic image.

Cancel claim 23

Cancel claims 26 and 27, without prejudice to inclusion in subsequent application which claims priority based on the above-identified application.

REMARKS

Reconsideration of the above-identified application in view of the foregoing amendments is hereby requested.

Regarding claim 22, please note that the "indicia region" of the drape is specifically defined as "the portion of the drape having the indicia which cause the

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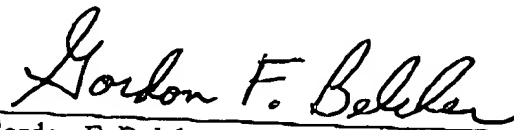
formation of the indicia image". Assuming *arguendo* that Mosby (U.S. Patent No. 5,260,985) discloses such an "indicia region", such a region is obstructed from being contacted directly by the operator's hand according to claim 22, *i.e.*, where the hand contains a surgical cutting instrument for making the surgical incision through the drape and into the body. This obstruction results from the "indicia region" of Mosby being enclosed by the "box-like apparatus". Accordingly, the method defined by claim 22 is not disclosed or suggested by Mosby.

The foregoing amendments are submitted as being fully responsive to the Office Action including the rejections contained therein. Accordingly, the above-identified application is submitted as being allowable and allowance thereof is requested.

No fees are believed to be required for entry and consideration of the present "Proposed Amendment". However, if any fees are required, please charge the Deposit Account No. 08-2776 of the below-identified firm for all required fees.

If the Examiner has any questions about the above, Applicant's Attorney Gordon F. Belcher is requested to be contacted at the below-identified telephone number. Additionally, please address all future correspondence to the below-identified address.

Respectfully submitted,



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